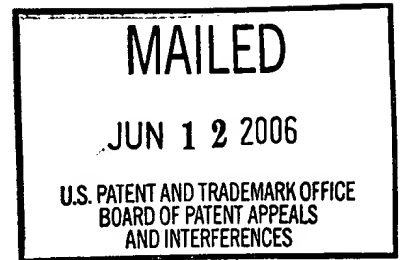


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: RICHARD HENRY DEE

Application No. 09/896,162



ORDER RETURNING UNDOCKETED APPEAL

This application was received at the Board of Patent Appeals and Interferences on June 3, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matter requiring attention prior to docketing is identified below.

ORDER RETURNING UNDOCKETED APPEAL

On May 5, 2006, an Order Returning Undocketed Appeal was mailed, advising the examiner that Appellant filed an Information Disclosure Statement (IDS) dated

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dated April 3, 2006, had been filed and not considered. The Order Returning Undocketed Appeal mailed May 5, 2005, directed the examiner to consider the Information Disclosure Statement date April 3, 2006, and acknowledge such consideration in the form of a written communication to appellant.

CONCLUSION

Accordingly, it is

ORDERED that the application is returned to the examiner to:

- 1) consideration and proper written response to the Information Disclosure Statement filed April 3, 2006;
- 2) to notify appellants of such consideration; and
- 3) for any further action as may be appropriate.

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AND INTERFERENCES

A handwritten signature in black ink, appearing to read 'Dale M. Shaw', is written over a horizontal line.

DALE M. SHAW
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DMS/dpv

Application No. 09/896,162

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